

requested that the reel and frame number be provided where the assignment is located. The assignment was recorded on Reel 7531, Frame 0266 as earlier reported in the Request for Abstract of Title submitted to the United States Patent and Trademark Office on October 26, 1999.

The Declaration by the inventor was considered defective because it did not state whether the inventor was a sole or joint inventor of the claimed invention. A new Declaration was prepared in compliance with 37 C.F.R. 1.67(a) wherein the inventor is identified as a sole inventor. However, the inventor is currently traveling outside his native country. Therefore, there will be a slight delay in submitting the Declaration to the Patent Office. The Declaration will include reference to this amendment.

The disclosure was objected to regarding the rearrangement in the specification in the present application as compared to the issued patent. At issue is the question whether use of a broadcast method associated with an interrogation request was in fact a new invention of the present inventor and not part of the Background Of The Invention..

The Assignee is having considerable difficulty in providing evidence of this inventorship because the inventor is no longer employed by the Assignee and the inventor's records are difficult to locate and reconstruct. The Examiner considers that the applicant here is relying solely on the Preliminary Remarks filed October 26, 1999. However, it is respectfully submitted that in the original (reissue) Inventor's Declaration, also submitted October 26, 1999, the inventor declared "... that the particular technology contained in Figure 23 was not known or reduced to practice by others prior to the priority date of this application, but were in fact my own ideas and accordingly, an error was made in describing adequate prior art due to my not being familiar with the meaning of prior art and the U.S. practice. This resulted in my not claiming all of the invention that I was entitled to."

Thus, the Preliminary Remarks that the Examiner now relies on are merely paraphrasing the Declaration made and signed by the inventor himself. It is also respectfully submitted that this inventor's statement in 1999 is of equal weight with the inventor's original declaration in 1995 of first inventorship, and should be accepted as a true statement of the conditions at the time of invention.

The concept of prior art as it is known in the United States is frequently confused by foreigners who consider that prior art includes developmental work done by the inventors, and known only to the inventors, which developmental effort results subsequently in the filing of an application in the United States.

Accordingly, acceptance of the substance of the Declaration and specification as submitted on October 26, 1999, is earnestly solicited.

The informalities in claims 2 and 3, line 2, noted in the Office Action, have been corrected.

Claims 1-39 were rejected under 35 U.S.C. §103 for obviousness over the admitted prior art in Patent No. 5,774,662 (the parent application here) in view of "Address Resolution Protocol" by Finn.

Claims 1-15, less canceled claims 7 and 13, were amended. Claims 16-39 were canceled without prejudice and claims 40-56 were added. In amending the claims, reliance was placed upon the submitted disclosure in the

section 4 of the specification at column 13, lines 29-40 and column 15, lines 40-44.

Support for adding claim 43, specifying a step (1st), is found in the specification at column 11, lines 30-36, and a step (2nd) is found at column 11, lines 14-54 in column 9, line 62 through column 10, line 9.

Support for adding claim 44, specifying the five steps, is found in the specification in column 11, lines 30-54.

Support for adding claim 47, specifying the registering step, is found in section 4 of the specification at column 13, lines 29-40.

Support for claim 53, specifying " means for registering ... memory" is found in the specification at column 16, lines 17-65.

Support for claim 56 specifying a receiver, processor, and transmitter, is found in the specification at column 16, lines 17-65.

The rejection of claims under 35 U.S.C. §103 for obviousness in view of the cited prior art, is respectfully traversed as though applied to all claims presently in prosecution.

The Sakagawa admitted prior art discloses that the corresponding relationship between protocol address and ATM address of all terminals is registered in an ATM address table in advance. On the other hand, the claimed invention dynamically registers in a server a corresponding relationship between a first address and a second address received from one of a plurality of terminals. Namely, the present invention does not need to create such an address table in advance. Finn does not disclose registering in a server a corresponding relationship between a first address and a second address. Thus, the claimed invention is not obvious to one of ordinary skill at the time of the invention over the admitted prior art in view of the Finn protocol.

With regard to claim 6, 11 and 14, and new claims 41, 42, 47, 48, 52 and 54, the Examiner states that Finn and the admitted prior art do not explicitly teach deleting a corresponding relationship between a first address and a second address when an address table is full. The Examiner takes a position that deleting the least recently made entry in a table when a table is full is well known. However, the Examiner's position is respectfully disputed. With this present invention, it is possible to accommodate a large number of terminals in an ATM-LAN System even if a server is equipped with a small capacity memory for registering each of the entries having a corresponding relationship between the first address and a second address.

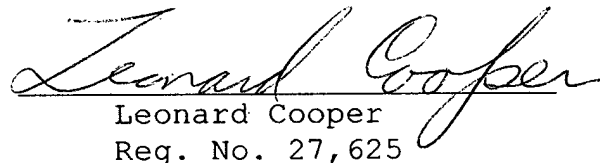
With regard to claim 43, the statement that "the switch or exchange appends tags information indicating a terminal group to a cell, is not disclosed in the Finn, Burnett or admitted prior art.

For these reasons, it is respectfully submitted that the present claims are not suggested nor made obvious by the cited prior art and the rejection under 35 U.S.C. §103 is inappropriate in this case.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendment and remarks, it is believed that claims 1-6, 8-12, 14, 15, and 40-56 are in condition for allowance. Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this Application not to be in condition for allowance, it is respectfully requested that he telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,


Leonard Cooper
Reg. No. 27,625

HELFGOTT & KARAS, P.C.
EMPIRE STATE BUILDING
60TH FLOOR
NEW YORK, NEW YORK 10118
(212) 643-5000
Docket No.: FUSA 12.689A
LC:tqa:FUSA 12.689A
October 31, 2000